IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

-

WRIT PETITION NO : 5571 of 1998

Between:

1 Indian Tobacco Traders, Tangutur rep. by Partner,

Makkina Krishna Rao S/oVenkaiah garu
Tangutur Mandal, Prakasham District.
2 Southern Leaf Tobacco Co., Tangutur, rep. by its Partner,

Pothula Rangaiah S/o.Ramaiah garu, Tangutur Mandal,

Prakasham District.

..... PETITIONERS

AND

Singareni Colleries Company Ltd., rep. by Managing Director
Post Box.18, Khairatabad, Red Hills, Hyderabad

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ, direction or directions, declaring the action of the respondent in charging additional 20% price on the coal supplies made to the petitioner Under Clause 10 of the Price Notification Bearing No.3/97, dt: 14-3-1997 as arbitrary, unreasonable and unconstitutional and to issue a consequential direction to the respondent to supply coal to the petitioners at the normal rates under the price Notification without charging 20% Additional price from them and also to direct the respondent to refund to the petitioners of the Additional Price charged from them Under Clause-10 of the Price Notification from 14-3-1997.

Counsel for the Petitioner: MR. G.Krishna Murthy,Advocate for Mr.PRATTIPATI VENKATESWARLU

Counsel for the Respondent: MR.K.SRINIVASAMURTHY

The Court made the following:

ORDER:

Mr G.Krishna Murthy, Advocate, representing Mr. P.Venkateswarlu, learned Counsel for petitioners, submits that the writ petition has become infructuous.

Recording the aforesaid submission, the writ petition is dismissed as infructuous. No costs.

13-12-2004

rkk

To

1.Singareni Colleries Company Ltd., rep. by Managing Director
Post Box.18, Khairatabad, Red Hills, Hyderabad

2. Two CD copies.